

RECEIVED
CENTRAL FAX CENTER

FEB 03 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GILBERT, Roland

Group Art Unit: 2683

Serial No. 09/847,554

Examiner: TORRES, Marcos L.

Filed: 5/2/2001

Dkt No: BAE13-US

For: METHOD AND APPARATUS FOR USING RF-ACTIVATED MEMS SWITCHING
ELEMENTTo: Mail Stop Non-Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

24222

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I hereby certify that this paper is being transmitted by facsimile to the
Commissioner for Patents and Trademarks to the attention of Examiner Marcos L. Torres at facsimile # 703-878-9314
~~6354~~ and telephone # 703-305-1478 on the date shown below.

Date: 02/03/2004

[X] Debra A. Stengel or [] Neil F. Maloney Reg #42,833

Commissioner:

RESUBMISSION OF RESPONSE TO NON-FINAL OFFICE ACTION
Filed December 18, 2003

Pursuant to a telephone conversation on February 3, 2004 between Examiner Marcos Torres, USPTO, and Debra Stengel, of Maine & Asmus, Applicant respectfully resubmits Response to Non-Final Office Action, originally timely filed on December 18, 2003 via facsimile. According to Examiner Torres the original Response to Non-Final Office Action has not been entered into the USPTO's electronic system and has not been matched to the case file. Therefore, he suggested this resubmission.

Applicant respectfully herein submits:

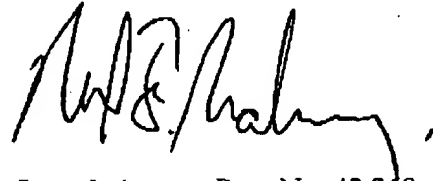
- 1) 12 pages Response to Non-Final Office Action, submitted December 18, 2003; and
- 2) 1 page Auto-Reply Facsimile Transmission, dated 12/18/2003, showing 12 pages fax received at USPTO;

S/N 09/847,554, Atty Dkt No BAE13-US

1

[X] DEPOSIT ACCOUNT 500323 AUTHORIZATION - All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the submittal to deposit account 500323, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus, contact telephone no. 603-886-6100.

Respectfully submitted,



Scott J. Asmus, Reg. No. 42,269
Neil F. Maloney, Reg. No. 42,833
Andrew P. Cernota, Reg. No. 52,711
Attorneys/Agents for Applicant

Cus. No. 24222
Maine & Asmus
PO Box 3445
Nashua, NH 03061-3445
Tel. No. (603) 886-6100, Fax. No. (603) 886-4796
Info@maineandasmus.com

TO: Auto-reply fax to 603886 4796 COMPANY:

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 603886 4796

Fax Information

Date Received:

12/18/2003 12:18:03 PM [Eastern Standard Time]

Total Pages:

12 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

SENT BY: MAINE & ASMUS;		603886 4796;		DEC-18-03 12:28PM;		PAGE 1	
Appl. No. 09/847,554 Amended December 18, 2003 Reply to Office Action of September 23, 2003							
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE							
In re Application of: GILBERT, Roland				Group Art Unit: 2683			
Serial No. 09/847,554				Examiner: TORRES, Marcos L.			
Filed: 5/2/2001				Dist No: BAEIJ-US			
For: METHOD AND APPARATUS FOR USING RE-ACTIVATED MEMS SWITCHING ELEMENT							
To: Mail Stop Non-Fee Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450				From: <div style="border: 1px solid black; padding: 5px; display: inline-block;">24222</div>			
CERTIFICATE OF FACSIMILE TRANSMISSION: I hereby certify that this paper is being transmitted by facsimile to the Commissioner for Patents and Trademarks to the attention of Examiner MARCOS L. TORRES at location # 201-817-9206 and telephone # 202-321-1428, on the date shown below.							
Date: 12/18/03				Signature: <u>Roland O. Gilbert</u> William A. Scroggs or [Signature] Assistant to the Commissioner			
Commissioner.							
AMENDMENT A							
In response to the Office Action, dated 09/23/2003, the Applicant has timely enclosed herein: <u>12</u> pages of amendments and remarks.							
Amendments to the Specification are reflected in the corresponding section, which begins on page <u>1</u> of this paper.							
Amendments to the Claims are reflected in the corresponding section, which begins on page <u>3</u> of this paper, and include a complete claim listing (less the cancelled claims).							
Remarks begin on page <u>7</u> of this paper.							
DEPOSIT ACCOUNT 190139 AUTHORIZATION - The Office is hereby authorized to charge the required fee, and any deficiency or credit any overpayment in the fees to the above deposit account, owned by BAE SYSTEMS Information and Electronic Systems Integration Inc. an authorized signator for which is Kevin M. Perkins V.P. & Company Counsel, and for whom the undersigned are authorized agents.							
1 of 17							
PAGE 112 * RCVD AT 12/18/2003 12:18:03 PM [Eastern Standard Time] * SVR:USPTO-EF796-12 * DNS:1729314 * CSID:603886 4796 * DURATION (mm:ss):04:36							

Appl. No. 09/847,554
Amdt. Dated December 18, 2003
Reply to Office Action of September 25, 2003

FEB 03 2004
OFFICIAL

BAE
CB#
BAE13-US
RCVD:
12/18/03
NSPSY:
RCVDBY:
DAS
FSUM:
JAL:
JKE:
NOTICE:
3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: GILBERT, Roland

Group Art Unit: 2683

Serial No. 09/847,554

Examiner: TORRES, Marcos L.

Filed: 5/2/2001

Dkt No: BAE13-US

For: METHOD AND APPARATUS FOR USING RF-ACTIVATED MEMS SWITCHING
ELEMENT

To: Mail Stop Non-Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

From:

24222

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I hereby certify that this paper is being transmitted by facsimile to the Commissioner for Patents and Trademarks to the attention of Examiner Marcos L. Torres at facsimile # 703-872-9306 and telephone # 703-305-1478 on the date shown below.

Date: 12/18/2003

Debra A. Stengel or Neil F. Maloney Reg. #42,833

Commissioner:

AMENDMENT A

In response to the Office Action dated 09/25/2003, the Applicant has timely enclosed herein: 12 pages of amendments and remarks.

Amendments to the Specification are reflected in the corresponding section, which begins on page 2 of this paper.

Amendments to the Claims are reflected in the corresponding section, which begins on page 3 of this paper, and include a complete claim listing (less the cancelled claims).

Remarks begin on page 7 of this paper.

DEPOSIT ACCOUNT 190130 AUTHORIZATION – The Office is hereby authorized to charge the required fee, and any deficiency or credit any overpayment in the fees to the above deposit account, owned by BAE SYSTEMS Information and Electronic Systems Integration Inc. an authorized signator for which is Kevin M. Perkins, V.P. & Company Counsel, and for whom the undersigned are authorized agents.